IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1647 of 2007()

CRIME NO. 288 OF 2006 OF EROOR POLICE STATION

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PETITIONERS/ACCUSED NO.2,3,5,6,8,9 & 10

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1. YESUDAD, S/O NANU, CHARUVILA VEEDU, THAZHEMEENAKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE.

2. ALMADAS, S/O.NANU, CHARUVILA VEEDU, TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE

3. SASTHEESAN, S/O.KUNJU KUNJU, SARANYA BHAVAN, TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE.

4. RATHEESH, S/O.BABU, PARAMKIMAAVILA PUTHEN VEEDU, TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE

5. LIJU, S/O YESUDAS, PALAVILA VEED (CHARUVILA VEEDU), TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE.

6. REJI, S/O.YESUDAS, PALAVILA VEEDU (CHARUVILA VEEDU), TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE.

7. KUTTAPPAN, S/O.GOPALAN,
KUNNIL PARAMKIMAAMVILA VEEDU,
TAZHEMEENKULAM, MOONGODU MURI, CHANNAPETTA VILLAGE.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, EROOR POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. 1647 of 2007

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Dated, this the 20th day of March 2007

ORDER

Petitioners who are accused Nos. 2,3,5, 6, 8, 9 and 10 in Crime No. 288 of 2006 of Eroor Police station for offences punishable under Sections 143, 147, 148, 427, 447 and 308 read with Section 149 I.P.C. and Sec. 3 of the Explosive Substances Act, 1908, seeks their enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on the eve of the Depavali day on 21-10-2006 at about 9 p.m. about 15 persons including the petitioners criminally trespassed into the house of the de facto complainant and exploded country bombs, on account of which , one Rajesh was injured. The assailants are also alleged to have been armed with iron rods and an axe and caused damage to one Maruti Car and a motorcycle.

4. Consequent on this Court not inclined to grant anticipatory bail to the petitioners, they surrendered before the Magistrate concerned on 2-3-2007 and the Magistrate remanded them to judicial custody. Considering the facts and the short duration of the judicial custody of the petitioners and the other

circumstances of the case etc., I am inclined to grant bail to the petitioners only from a future date. Accordingly, the petitioners are directed to be released on bail with effect from ***28-3-2007*** on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.I, Punalur and subject to the following conditions:

1. *The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.*
2. *The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.*
3. *The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.*
4. *The petitioners shall not commit any offence while on bail.*

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

Sd/-**V.RAMKUMAR, JUDGE.**

ani.

V. RAMKUMAR,
(JUDGE)

ani.